

FISCAL NOTE

SB 1796 - HB 1768

May 5, 1997

SUMMARY OF BILL: Increases penalty for the offense of resisting a stop, frisk, halt, arrest or search from a Class B misdemeanor to a Class A misdemeanor. If a deadly weapon is used, the violation is elevated from a Class A misdemeanor to a Class E felony. The bill also includes under the definition of harassment, threats made in person and false communications to another person that a person has to be injured, killed, or is ill. Harassment is a Class A misdemeanor.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$124,000/Incarceration*
Increase Local Govt. Expenditures* - Exceeds \$100,000

Assumes a minimum of ten percent of 278 convictions for resisting arrest will be elevated from a Class A misdemeanor to a Class E felony and the remaining convictions will be elevated from a Class B to a Class A misdemeanor. Harassment convictions will not result in a significant increase in local government expenditures.

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

SB 1796 - HB 1768